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Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization
17-25 February 2015

Draft report

Rapporteur: Sebastian **Rogač** (Croatia)

II. Maintenance of international peace and security

D. Consideration of the further revised working paper submitted by Belarus and the Russian Federation

1. During the general exchange of views held at the 276th and 277th meetings of the Special Committee, on 17 and 18 February 2015, and at the 1st meeting of the Working Group of the Whole, the Special Committee considered the further revised working paper submitted by Belarus and the Russian Federation at the 2014 session of the Special Committee (see A/69/33, para. 37), in which it was recommended, inter alia, that an advisory opinion should be requested from the International Court of Justice as to the legal consequences of the resort to the use of force by States without prior authorization by the Security Council, except in the exercise of the right to self-defence.

2. The sponsors of the proposal highlighted the continued relevance of the subject matter of the revised working paper and its value in providing a common understanding of the legal consequences of the resort to the use of force by States without prior authorization by the Security Council. It was pointed out that an advisory opinion would contribute to clarifying the provisions of the Charter regarding the use of force and strengthening the rule of law in international relations. The sponsors favoured retaining the proposal on the agenda of the Special Committee and expressed their willingness to engage in discussions.

3. Several delegations reiterated their support for the proposal and its further consideration. Informal consultations on the proposal were also suggested.

4. Some delegations reiterated that they could not support the proposal.

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